

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

JOHN HENRY RAMIREZ,

*

Civil Action No. 2:12-CV-410

Petitioner,

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**The Honorable Judge
Nelva Gonzalez Ramos**

v.

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**LORIE DAVIS, Director,
Texas Department of Corrections,
Correctional Institutions Division,**

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*

Respondent.

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**NOTICE OF WITHDRAWAL OF OPPOSED MOTION FOR FUNDING
UNDER 18 U.S.C. § 3599(f)**

John Henry Ramirez, a death-sentenced prisoner, withdraws his opposed motion for funding. Doc. No. 85.

The reason is that the death warrant was withdrawn by order of the presiding state district judge on August 14, 2020.

The legal framework for a clemency petition is this: “The written application in behalf of an offender seeking a board recommendation to the governor of commutation of the death sentence to a lesser penalty shall be addressed to the Texas Board of Pardons and Paroles and must be delivered to the Texas Board of Pardons and Paroles, Clemency Section, 8610 Shoal Creek Boulevard, Austin, Texas 78757, not later than the twenty-first calendar day before the day the execution is scheduled.” Tex. Admin. Code §143.57 (b).

It is likely that the state will seek a new execution date under Article 43.15 of the Texas Code of Criminal Procedure at some future point. Whenever that happens, Ramirez will likely

renew his funding motion.

Respectfully submitted,

/s/ Seth Kretzer

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CERTIFICATE OF SERVICE

I certify that I have served the foregoing Motion via the Court's CM/ECF system on Counsel for Respondent on this the 17th day of August, 2020.

/s/ Seth Kretzer

Seth Kretzer